

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

OSCAR PENA,

Plaintiff,

v.

SALT LAKE CITY et al.,

Defendants.

**DISMISSAL ORDER
& MEMORANDUM DECISION**

Case No. 2:12-CV-431 DN

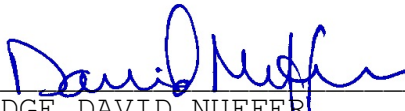
District Judge David Nuffer

Plaintiff, inmate Oscar Pena, filed this *pro se* civil rights suit, see 42 U.S.C.S. § 1983 (2012), proceeding *in forma pauperis*, see 28 *id.* 1915. Reviewing the complaint under § 1915(e), in an Order dated June 15, 2012, the Court determined Plaintiff's complaint was deficient. The Court then gave Plaintiff direction for curing the deficiencies, sent him a "Pro Se Litigant Guide," with a blank-form civil rights complaint, and ordered him to cure the deficiencies within thirty days. Plaintiff responded with motions for an extension of time in which to amend his complaint. The Court granted his motions, giving him until September 14, 2012. Plaintiff has still not filed an amended complaint.

IT IS THEREFORE ORDERED that Plaintiff's complaint is **DISMISSED** without prejudice for failure to state a claim under § 1915(e)(2)(B)(ii), failure to follow Court orders, and failure to prosecute.

DATED this 25th day of October, 2012.

BY THE COURT:



JUDGE DAVID NUFFER
United States District Court